

§ 14.95

**Subpart H—Telephone and
Telegraph Lines**

§ 14.95 Authority.

(a) The Act of February 15, 1901 (31 Stat. 790; 43 U.S.C. 959), authorizes the Secretary, under such regulations as he may fix, to permit the use of rights-of-way through public lands and certain reservations of the United States, for electrical plants, poles, and lines for the generation and distribution of electrical power, and for telephone and telegraph purposes, and for pipelines, canals, ditches, water plants, and other purposes to the extent of the ground occupied by such canals, ditches, water plants, or other works permitted thereunder and not to exceed 50 feet on each side of the marginal limits thereof, or not to exceed 50 feet on each side of the center line of such pipe lines, telephone and telegraph lines, and transmission lines, by any citizen, association, or corporation of the United States, where it is intended by such to exercise the use permitted under the Act.

(b) The Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961), as amended, authorizes the head of the department having jurisdiction over the lands under general regulations fixed by him, to grant an easement for rights-of-way for a period not exceeding 50 years, over and across public lands and reservations of the United States, for poles and lines for the transmission and distribution of electrical power, and for poles and lines for communication purposes and for radio, television and other forms of communication transmitting, relay and receiving structures and facilities to the extent of 200 feet on each side of the center line of such lines and poles and not to exceed 400 feet by 400 feet for superstructures and facilities to any citizen, association, or corporation of the United States, where it is intended by such to exercise the use permitted under the Act.

§ 14.96 Procedures.

Any application under the Act of March 4, 1911, for line right-of-way in excess of 100 feet in width or for a structure or facility right-of-way of over 10,000 square feet must state the reasons why the larger right-of-way is required. Rights-of-way will not be

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issued in excess of such sizes in the absence of a satisfactory showing of the need therefor.

APPENDIX A TO PART 14

Where necessary, these forms should be modified so as to be appropriate to the applicant (corporation, association, or individual), to the act involved, and to the nature of the project.

FORM

References should be made to the appropriate section of the regulations to determine when each of the forms is required.

Form No. 2 may be signed by any officer or employee of the company who is authorized to sign it. However, if it is executed by a person other than the President, it must be accompanied by a certified copy of the minutes of the Board of Directors meeting or other document authorizing such signature unless such certified copy has already been filed in the case.

Forms 1 and 2 to be placed on maps. See § 14.25(a)(7).

ENGINEER'S STATEMENT

(FORM 1)

_____(Name of engineer) states he is by occupation a _____(Type of engineer) employed by the _____(Company) to make the survey of the _____(Kind of works) as described and shown on this map; that the survey of said works made by him (or under his supervision) and under authority, commencing on the _____ day of _____, 19____ and ending on the _____ day of _____, 19____; and that such survey is accurately represented upon this map.

Engineer

APPLICANT'S CERTIFICATE

(FORM 2)

This is to certify that _____(Engineer), who subscribed the statement hereon, is the person employed by the undersigned applicant to prepare this map, which has been adopted by the applicant as the approximate final location of the works thereby shown, and that this map is filed as a part of the complete application, and in order that the applicant may obtain the benefits of _____(Cite statute); and I further certify that the right-of-way herein described is desired for _____(state purpose) _____
(Seal)

Signature of Applicant